

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

UNITED STATES OF AMERICA,

v.

SEYDADRIAN MONTREZ BROWN,

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CASE NUMBER 6:17-CR-00083-JDK

**REPORT & RECOMMENDATION OF
UNITED STATES MAGISTRATE JUDGE**

On July 28, 2021, the court conducted a hearing to consider the government's petition to revoke the supervised release of Defendant Seydadrian Montrez Brown. The government was represented by Lucas Machicek, Assistant United States Attorney for the Eastern District of Texas, and Defendant was represented by Ken Hawk, Federal Public Defender.

Defendant originally pled guilty to the offense of Felon in Possession of Ammunition, a Class C felony. This offense carried statutory maximum imprisonment terms of 10 years. The guideline imprisonment range, based on total offense level of 12 and criminal history category of IV, was 21 to 27 months. On March 27, 2018, U.S. District Judge Ron Clark sentenced Defendant to 24 months imprisonment, followed by 3 years of supervised release subject to the standard conditions of release, plus special conditions to include financial disclosure, drug abuse testing and treatment, and mental health treatment. On August 13, 2019, Defendant completed his period of imprisonment and began service of the supervision term.

Under the terms of supervised release, Defendant was required to refrain from any unlawful possession of a controlled substance. In its petition, the government alleges that Defendant violated

his conditions of supervised release on February 2, 2021, when he was arrested in Tyler, Texas after being found in possession of 4.22 pounds of marijuana and 218 oxycodone 10 mg tablets.

If the court finds by preponderance of the evidence that Defendant violated the conditions of supervised release by possessing marijuana and/or oxycodone, Defendant will have committed a Grade B violation. U.S.S.G. § 7B1.1(a). Upon finding of a Grade B violation, the court shall revoke supervised release. U.S.S.G. § 7B1.3(a)(1). Considering Defendant's criminal history category of IV, the Guideline imprisonment range for a Grade B violation is 12 to 18 months. U.S.S.G. § 7B1.4(a).

At the hearing, the parties indicated that they had come to an agreement to resolve the petition whereby Defendant would plead true to the Grade B violation of the condition of supervision referenced above by possession of controlled substances as alleged in the government's petition. In exchange, the government recommended to the court a sentence of 18 months imprisonment with credit for time served in custody since June 10, 2021, and with no supervised release to follow.

The court therefore **RECOMMENDS** that Defendant Seydadrian Montrez Brown plea of true be accepted and he be sentenced to 18 months imprisonment with no supervised release to follow, including credit for time served in custody since June 10, 2021. The court further **RECOMMENDS** that Defendant serve his sentence at FCI Yazoo City, MS, if available. The court also **RECOMMENDS** drug treatment. The parties waived their right to objections so this matter shall be immediately presented to the District Judge for consideration.

So ORDERED and SIGNED this 28th day of July, 2021.



JOHN D. LOVE
UNITED STATES MAGISTRATE JUDGE